



Members-

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Allison Garrett- Commissioner

Jacqueline Smith - Alternate

Staff

Tracy Brady- Council Liaison

Dina Rimi- Community Development
Director

Workshop Information

1st Thursday of each month @ 6:00 pm

Meeting Information

3rd Tuesday of each month @ 7:00 pm

Meeting Location
City of Senoia Police Department
505 Howard Road
Senoia, GA 30276

**Planning Commission Workshop
November 9, 2022
Senoia Municipal Court
5:30 p.m.
Meeting Agenda**

1. New Business

- A. **Waffle House** - Variance to reduce landscape strip along Chestlehurst from 25 feet to 11 feet, and to allow all parking in front of the building. Zoning is GC and the site is located within the Corridor Overlay District.

The applicants are seeking variances from the following sections 74-185 (a) and 74-186 (e).

Minor Plat creating new tract for waffle house

- B. **104 Horseshoe Bend** – Rezoning from R40 to RH

Variance for lot size reduction from 0.50 ac to 0.458 ac

Minor Plat creating two lots

- C. **WellStar Rezoning** – Tract A-2 rezone from GI to GC.

Purpose is to extend sewer through Tract A-2 to serve A-1

Planning Commission previously recommended approval to rezone Tract A-1.

2. Old Business

None

3. Commission Comments

4. Staff Comments

Staff would like to move the work the work session to Wednesday evening if possible.

Staff will be sending out digital packets as this process is refined moving forward

5. Adjourn

William "Dub" Pearman, III
Mayor

Harold Simmons
City Manager



MEMO

TO: Planning Commission Work Session

FROM: Curtis Hindman, Interim Community Development Director

DATE: November 9, 2022

RE: Variance and Minor Plat
Zoned GC
Parcel Number – 168 1291 009
Address - 8180 Wells Street

Background

The City of Senoia received an application to allow variances, for a proposed Waffle House Inc. located at the corner of Cheslehurst Road and Hwy 16. The property is currently zoned General Commercial (GC) and its located-on part of the Bank of the Ozarks site within the city limits. The application is to request a variance from the Zoning Ordinance Sections 74-185(a) and 74-186 (e) see excerpts below.

Sec. 74-185. - Development regulations.

(a) Streetscape. A streetscape plan for all development in the overlay shall be subject to approval by mayor and city council. Front yard landscaping areas shall be as provided herein along the entire property frontage, except where driveways or other openings may be required. Landscaping shall utilize fences, berms, walls, sidewalks, trees and other such methods subject to approval by mayor and city council.

The streetscape plan shall accommodate an undisturbed, natural buffer along the frontage of Highway 85 as provided herein. All development on Highway 16 and any secondary road shall maintain a landscaped buffer having a minimum horizontal dimension of 25 feet along all property lines abutting these roadways.

Sec. 74-186. - Design requirements.

(e)Parking. Unless a parking courtyard design can be achieved, off-street parking shall be uniformly distributed across the building site. In the case of freestanding buildings or shopping centers that do not have a street along the front and rear of the property, the area between the front of the building and the right-of-way shall be limited to a maximum of 25 percent of the required parking and limited to a maximum of one double row of parking. A maximum of 50 percent of off-street parking shall be located to the sides of the building, with the remaining parking located to the rear of the building.

(1) Development tracts having no public right-of-way to the rear of the site and accommodating truck loading areas to the rear of the principal building shall be exempt from these requirements; however, parking located between the front of the building and the right-of-way shall be limited to a maximum of 50 percent of the required parking.

The applicant is seeking a variance on the required width of the landscape strip along a secondary road from twenty-five (25) feet to eleven (11) feet. Secondly to allow all the parking in front of the building versus a portion on the rear and sides as required by the ordinance. These variances will allow the applicant to better align the parking lot with the adjacent uses for inter-parcel access and also save trees that area larger than 12 inches in diameter along the rear of the site.

Staff Report

In consideration of this variance request, the Mayor and Council should use the standards set forth in section 74-300, Article XIV of the Zoning Ordinance.

Sec. 74-300. - Additional powers and duties of the city council.

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the zoning administrator in the enforcement of this article.

(2) To authorize upon application a variance from the terms of the article, but only where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which, at the time of adoption of this article was a lot or plat of record; or where, by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, or where by reason of other extraordinary or exceptional circumstances the strict application of the requirements of this article would result in practical difficulties of, or undue hardship upon, the owner of this property, provided that this relief may be granted without substantially impairing the intent and purpose of this article.

In granting a variance, the city council may attach such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this article will be served, public safety and welfare secured and

substantial justice done. However, the city council shall not be authorized to grant a use variance to permit a use in a district in which the use is prohibited.

While the proposed lot was not a legal lot of record when the ordinance was adopted, it could still be developed as proposed without the land division. Therefore, the variance should be considered as the proposed division of the land does not create the hardship. The hardship is the created by the large stand of trees that are along the rear of the site that are required to be saved to the extent practical by the ordinance Section 74-191 (e) Landscaping.

If the variance requests are not approved the site layout will change by requiring the building and parking to be moved further back on the lot. This will impact the trees on the rear and also create a situation where the applicant may be required to install underground detention which is substantially more costly than traditional stormwater management.

Additional considerations:

1. *Whether the proposed variance will be suitable in view of the use and development of adjacent and nearby property.*

This variance, if granted, will represent a more defined and wider landscape strip than what is currently existing on either side. Also, the adjacent uses currently have existing parking lots that are 100% in the front of the buildings so allowing the parking to be in the front will match up with those parking lots better for inter-parcel access.

2. *Whether the variance request will adversely affect the existing use or usability of adjacent or nearby property.*

If granted the variance will not adversely affect adjacent properties use or usability. The variance will actually allow the applicant to align the parking areas better while saving more trees on the rear and creating more room for traditional stormwater management to the rear.

William "Dub" Pearman, III
Mayor

Harold Simmons
City Manager



MEMO

TO: Planning Commission Work Session

FROM: Curtis Hindman, Interim Community Development Director

DATE: November 9, 2022

RE: Variance/Rezoning and Minor Plat
Zoning - From R40 to RH
Parcel Number – E02 0026 008
Address – 104 Horseshoe Bend

Background

The City of Senoia received an application for variance to allow a reduction in the minimum lot size and for the rezoning and minor subdivision of the tract known as 104 Horseshoe Bend.

The property is currently zoned Residential R40, and the applicant has requested to rezone to RH and to split the lot into two lots. One lot with a minimum lot size of 0.50 acres and the other with 0.458 acres.

The minimum lot size for RH is 0.50 acres therefore the applicant is also seeking a variance to reduce the minimum lot size to allow the 0.458 ac lot.

The applicant is requesting a variance from the Zoning Ordinance, Section 74-85, Residential Historic District – RH

The purpose of this district shall be to accommodate residential development located within the city's historical neighborhood overlay. This district is delineated on the official zoning map and permitted uses are in accordance with residential (R40). This zoning shall only apply to areas of the district that require no additional public infrastructure. Minimum lot size varies based on the minimum lot width at set back line. The minimum size of the primary dwelling shall be based on the average of the primary structures immediately adjacent and on the same side of the road.

The minimum lot size is 0.5 acres as shown in Sec. 74-96. District, Lot area, yard and height standards.

Staff Report

In consideration of this variance request, the Mayor and Council should use the standards set forth in section 74-300, Article XIV of the Zoning Ordinance.

“The city council shall have the following powers and duties:

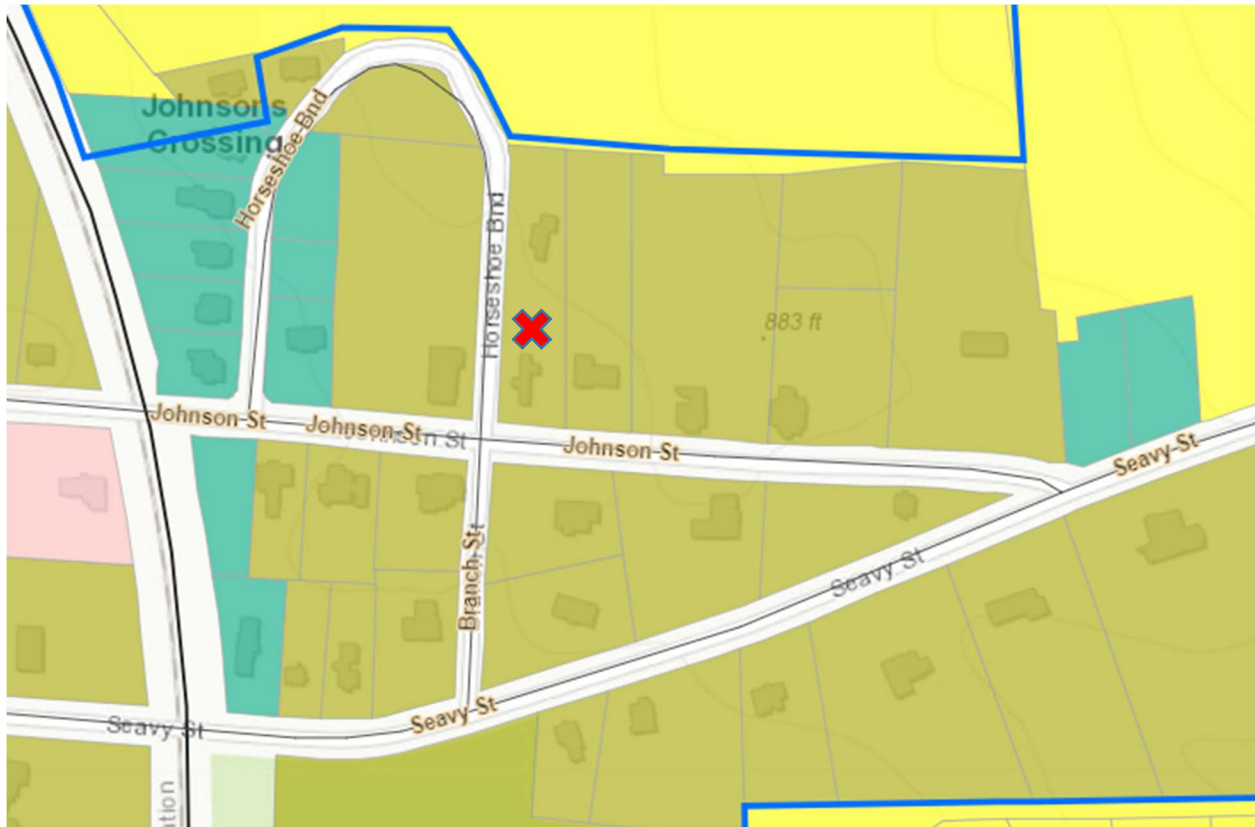
*To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this article. To authorize upon application a variance from the terms of the article, but only whereby reason of **exceptional narrowness, shallowness or shape of a specific piece of property, which, at the time of adoption of this article was a lot or plat of record;** or whereby reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, or whereby reason of other extraordinary or exceptional circumstances the strict application of the requirements of this article would result in practical difficulties of, or undue hardship upon, the owner of this property, provided that this relief may be granted without substantially impairing the intent and purpose of this article.*

In granting a variance, the city council may attach such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this article will be served, public safety and welfare secured, and substantial justice done. However, the city council shall not be authorized to grant a use variance to permit a use in a district in which the use is prohibited.”

Details of the area

The lot is located within the Historic District at the corner of Horseshoe Bend and Johnson Street as seen in the snapshot below with a red “X” marking the lot.

Along this section of Johnson Street between the railroad and Seavy Street there are currently 3 lots that are zoned RH and 12 lots that are zoned R40.

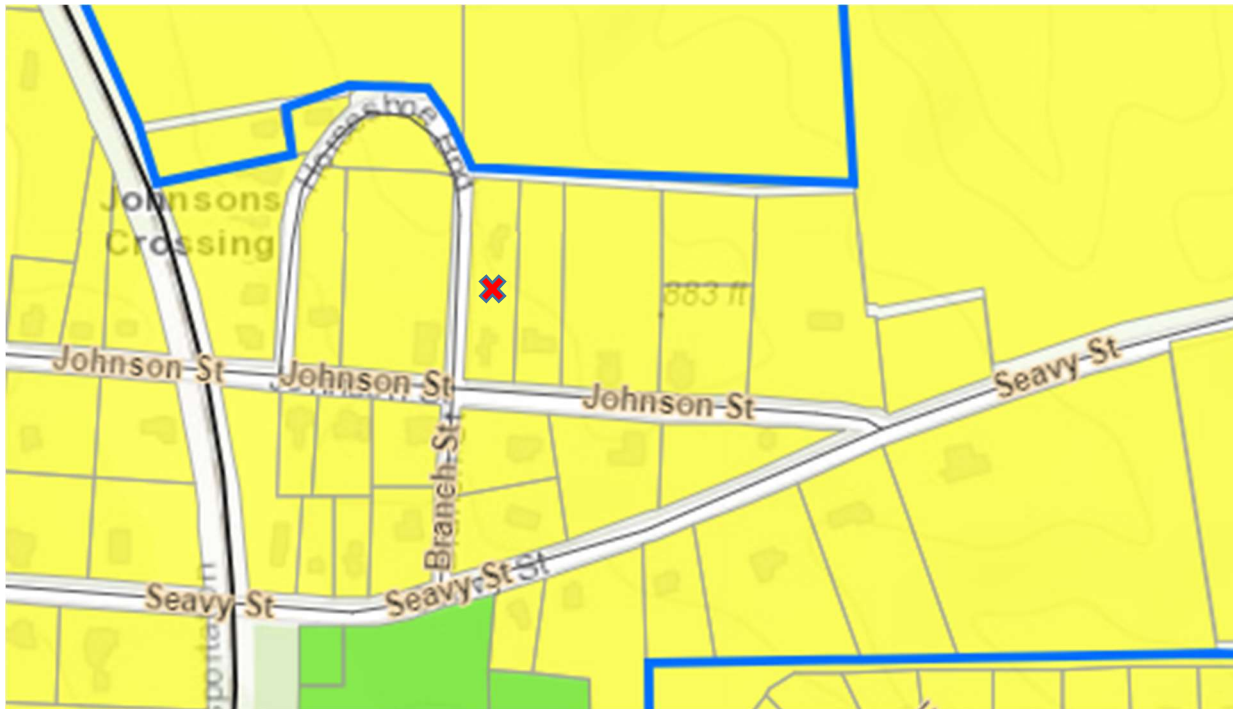


This second lot being smaller than the required lot size presents a problem for the applicant as it was **not a legal lot of record at the time of this ordinance adoption**, and generally an applicant cannot create their own hardship and then seek a variance.

However, it does appear to be appropriate to rezone to RH since it is within the Residential Historic District, and this will mean that the new homes must comply with the Historic District guidelines. If approved the applicant will need to seek a Certificate of Appropriateness (COA) from the HPC prior to approval of building permits.

Also, previously the lot had two homes on it and does already have two water meters and separate power and sewer hook ups.

Future Land Use



The lot shown marked above with a red "X" is located within the Residential use category as seen in yellow above on a snapshot of the future land use map.

The rezoning to RH is appropriate for the future land use category.

In consideration of this rezoning, the Planning Commission should consider the items under Section 3.9 of the Zoning Ordinance.

1. The existing land uses and zoning classification of nearby property.
 - A. *The subject property is in the City of Senoia adjacent to similarly zoned property and similar uses. The primary difference is the density and the minimum lot size.*
2. The suitability of the subject property for the zoned purpose.
 - A. *The lot is currently zoned R40, the neighboring lots are zoned R40 and RH*
3. The extent to which the property values of the subject property are diminished by the zoning restrictions.
 - A. *There are none.*

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.
 - A. *There is no relative gain to the public and no significant hardship to the individual property owner.*
5. Whether the subject property has a reasonable economic use as currently zoned.
 - A. *The subject property has reasonable economic use as currently zoned.*
6. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.
7.
 - A. *The proposed zoning is reasonable.*
8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
 - A. *If rezoned to RH and developed as proposed there will be no adverse impact to the adjacent properties.*
9. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan.
 - A. *The future land use map shows this property as Residential.*
10. Whether the zoning proposal will result in a use, which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
 - A. *No excessive use or burden is recognized in this application.*
11. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.
 - A. *There is none.*
12. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.
 - A. *There is none.*

13. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.

A. The development is not big enough to qualify.

William "Dub" Pearman, III
Mayor

Harold Simmons
City Manager



Memo

TO: Planning Commission

FROM: Curtis Hindman, Interim Community Development Director

DATE: November 9, 2022

RE: Rezoning – WellStar – Tract A-2 of Mann Property
General Industrial GI to General Commercial GC

Background

The City of Senoia received an application to amend the Zoning Map from Kimley Horn and Associates for property Tract A-2 of the Mann Property. The property is currently zoned General Industrial in the Senoia city limits. The application is to request rezoning to General Commercial. The subject property is a currently undeveloped lot in the GI district. The GC zoning requires the property to be a minimum of 1 acre

The purpose of the General Commercial according to Sec. 74-77. - General commercial. The purpose of this district shall be to provide for and encourage the proper grouping and development of uses which include a wide variety of sales and services that will best accommodate the needs of the city and the traveling public to reduce highway traffic congestion, traffic hazards and blight along the highways of the city.

This property also falls in the Commercial Corridor Overlay all aspects of this ordinance addressed and met in the site plan and elevation drawings. These items will be reviewed by the Mayor and Council for a final approval before a building permit will be issued.

Staff Report

The applicant is proposing to rezone the subject property from GI to GC. In consideration of this rezoning, the Planning Commission should consider the items under Section 3.9 of the Zoning Ordinance. The application is to rezone and subdivide the property for developing the medical office building. The applicant came before the Commission previously for rezoning of Tract A-1 and now is seeking the same rezoning for Tract A-2 for purposes of extending the public utilities (sewer) to serve Tract A-1. Currently, there are no plans to build on Tract A-2.

1. The existing land uses and zoning classification of nearby property.
 - A. *The subject property is in the City of Senoia city limits adjacent to similarly zoned property with similar uses with the primary difference being the density and the allowed square footage*
2. The suitability of the subject property for the zoned purpose.
 - A. *The lot is currently zoned General Industrial, the neighboring lots are zoned General Industrial to the south, Commercial to the North and East and Residential to the West*
3. The extent to which the property values of the subject property are diminished by the zoning restrictions.
 - A. *There is none.*
4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.
 - A. *The relative gain is to have commercial property adjacent to a residential property, the uses that are permitted in this overlay and less intrusive to a residential property versus an industrial zoned property.*
5. Whether the subject property has a reasonable economic use as currently zoned.
 - A. *The subject property has reasonable economic use as currently zoned.*
6. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.
 - A. *The proposed zoning is reasonable.*
7. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
 - A. *If rezoned to GC there are not any adverse effects to adjacent properties.*
8. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan.
 - A. *The future land use map shows this property are General Commercial.*
9. Whether the zoning proposal will result in a use, which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
 - A. *No excessive use or burden is recognized in this application.*

10. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

A. There is none.

11. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.

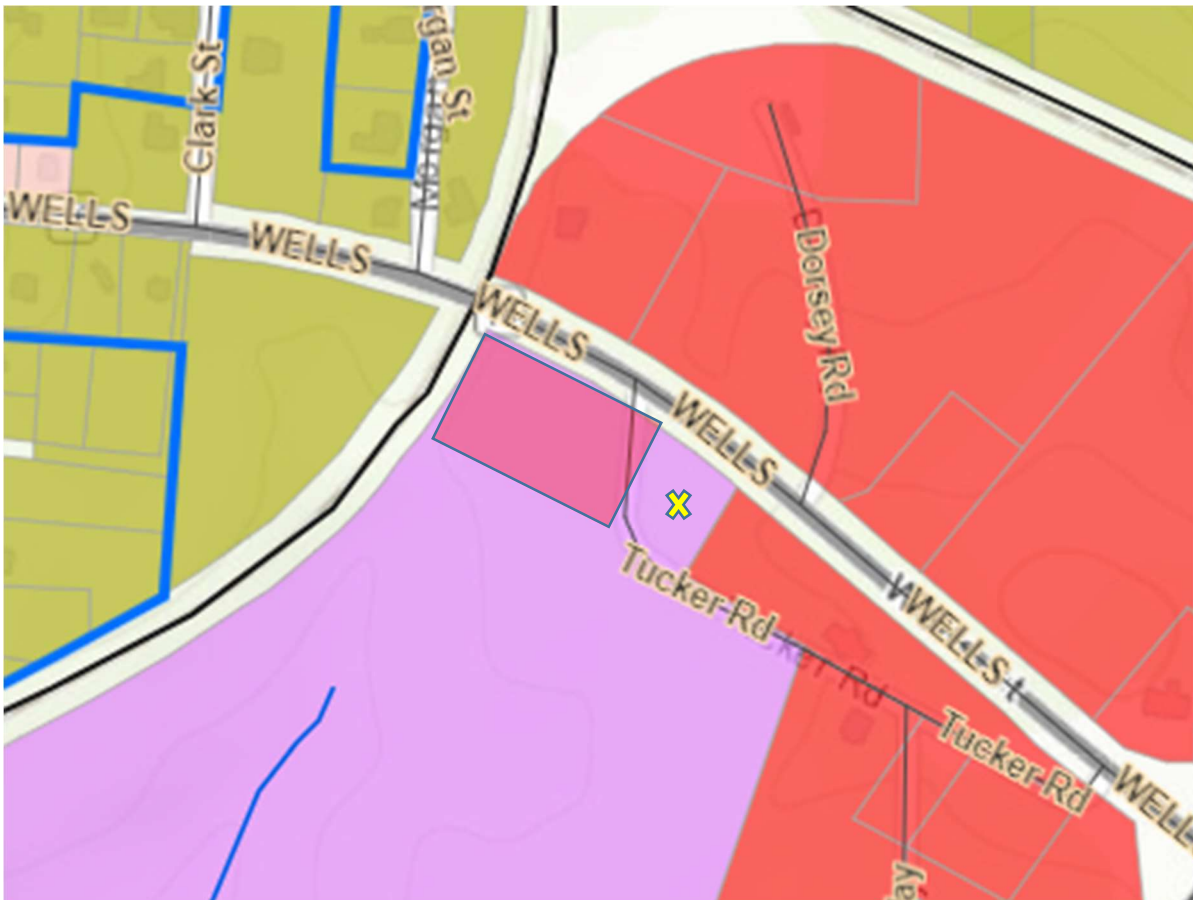
A. There is none.

12. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.

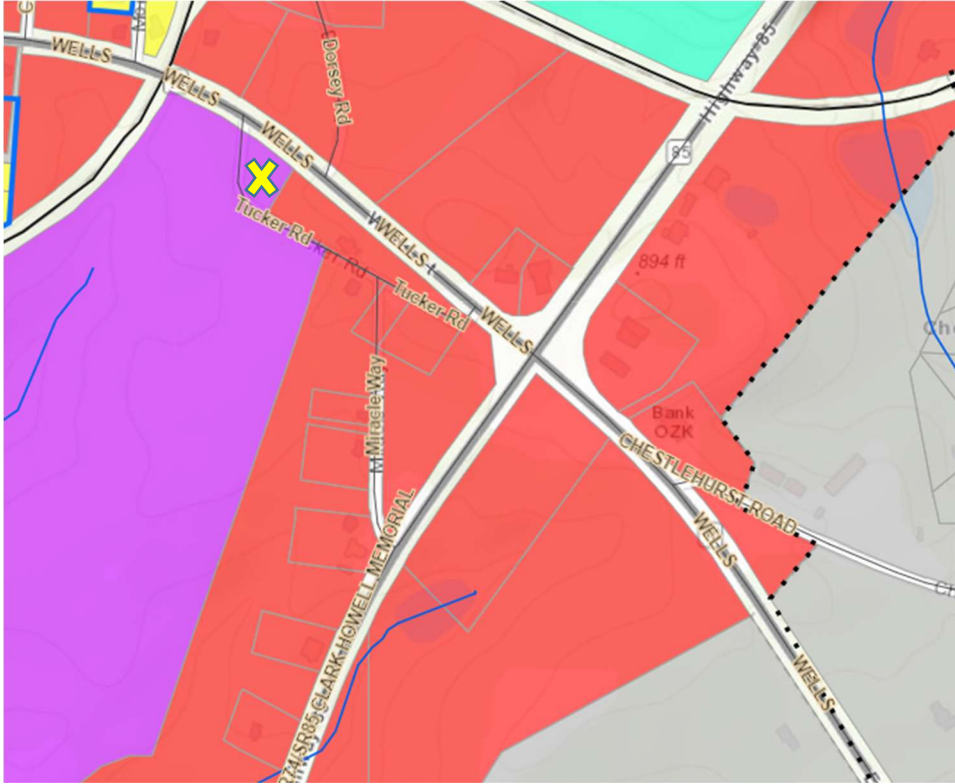
A. The development is not big enough to qualify.

Zoning Map

Tract A-2 is shown marked with a yellow “X” below. The current zoning is GI, however as can be seen in the snapshot below it is surrounded on three sides by GC. I have indicated on this map the commercial zoning of Tract A-1, which is located west of Tract A-2.



Future Land Use Map



Site shown with yellow “X” on the future land use map.

Purple is GI
Red is GC